

HOUSE CONCURRENT RESOLUTION NO. 1020

A CONCURRENT RESOLUTION, Requesting a discussion of the problems existing between the State of South Dakota and the federal government on issues of state and federal powers and responsibilities.

WHEREAS, the State of South Dakota and other states are finding that the United States Congress has passed laws that increasingly infringe on powers that are reserved to the states under the tenth amendment to the Constitution of the United States; and

WHEREAS, the Congress of the United States continues to use federal funding mechanisms to force states to pass laws on issues that are clearly reserved to state authority; and

WHEREAS, laws dealing with such items as drinking age, blood alcohol content, removing commercial driving licenses for railroad crossing violations, billboard regulations, seatbelt laws, child safety seat laws, child support laws, and drug laws fall under the realm of states' lawmaking powers; and

WHEREAS, the federal government has tied federal funds to the requirement that the states enact such laws according to federal guidelines and regulations which usurps the legislative powers of the South Dakota Legislature; and

WHEREAS, conversely, the federal government has refused to address serious problems that lie within our state's borders but are under the jurisdiction of federal agencies; and

WHEREAS, in South Dakota these problems include pine beetle infestations and over populations of prairie dogs on federal lands within our state:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-seventh Legislature of the State of South Dakota, the Senate concurring therein, that the South Dakota Legislature recommends and requests South Dakota's Congressional Delegation, Senators Thomas Daschle and Tim Johnson and Representative John Thune, to meet with a delegation of the South Dakota Legislature during the summer of the year 2002 to determine what messages can be sent forth to Washington, D.C., to address these concerns within the United States Congress.

Adopted by the House of Representatives,
Concurred in by the Senate,

February 11, 2002
February 13, 2002

Scott Eccarius
Speaker of the House

Karen Gerdes
Chief Clerk of the House

Carole Hillard
President of the Senate

Patricia Adam
Secretary of the Senate